

**Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District
Governing Board Meeting
Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA.**

**Thursday, August 17, 2006
9:00 a.m.**

Meeting held via video teleconference (VTC) system with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield). This meeting was webcast.

1. **CALL TO ORDER** – The Chair, Councilmember Mike Maggard, called the meeting to order at 9:11 a.m.

2. **ROLL CALL was taken and a quorum was present.**

Judith G. Case, Supervisor	Fresno County
Barbara Patrick, Supervisor	Kern County
Tony Barba, Supervisor	Kings County
Ronn Dominici, Supervisor (absent)	Madera County
Sam Armentrout, Councilmember (absent)	City of Madera
Michael G. Nelson, Supervisor (*) (**)	Merced County
Dan Prince, Councilmember (**)	City of Ripon
Thomas W. Mayfield, Supervisor (**)	Stanislaus County
Jack A. Sieglock, Supervisor (**)	San Joaquin County
J. Steven Worthley, Supervisor, Vice Chair	Tulare County
Mike Maggard, Councilmember, Chair	City of Bakersfield

(*) Arrived during Item # 4

(**) Attended Meeting in Northern Region Office (Modesto)

The Chair welcomed Supervisor Judith G. Case's return to the District's Governing Board.

3. **APPROVAL OF CONSENT CALENDAR – (Item Numbers 16-23).** (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any consent item).

16. Approve Action Summary Minutes for the San Joaquin Valley Unified Air Pollution Control District Governing Board Meeting held on Thursday, June 15, 2006.

17. Receive and file List of Scheduled Meetings for 2006.

18. Receive and file Operations Statistics Summaries June and July 2006.
19. Receive and file Budget Status Report as of July 31, 2006 and Cash Balance Report as of June 30, 2006.
20. Receive and file proposed amendments to Rule 2020 (Exemptions) and Rule 2201 (New and Modified Stationary Source Review Rule) and set September 21, 2006 for a Public Hearing to consider the proposed amendments.
21. Receive and file proposed Rule 9310 (School Bus Fleets) and set September 21, 2006 for a Public Hearing to consider the proposed amendments for adoption.
22. Receive and file proposed amendments to Rule 4602 (Motor Vehicle and Mobile Equipment Coating Operations) and proposed Rule 4612 (Motor Vehicle and Mobile Equipment Coating Operations – Phase II) and set September 21, 2006 for a Public Hearing to consider the proposed amendments and proposed rule for adoption.
23. Approve voluntary Air Quality Mitigation Agreement with County of Fresno to receive funds in an amount not to exceed \$70,000 for the purpose of mitigating air quality impacts of the Mendota Landfill Clean Closure Project.

The Chair announced that Seyed Sadredin, Executive Director/APCO, requested Consent Calendar Item Numbers 17 and 18 be removed for discussion.

APPROVED AS RECOMMENDED – On motion by Governing Board Member Barba to approve the Consent Calendar minus items #17 and #18.

Seconded by Governing Board Member Worthley and unanimously carried with the following roll call vote:

Ayes: Sieglock, Barba, Mayfield, Case, Patrick, Prince, Worthley and Maggard.

Absent: Nelson, Armentrout and Dominic.

Governing Board Action:

Approved Consent Calendar Item Numbers 16, 19, 20, 21, 22 and 23 as submitted, minus 17 and 18.

Consent Calendar Item Number 18. Receive and file Operations Statistics Summaries for June and July 2006 - Seyed Sadredin, Executive Director/APCO, announced a correction on the June 2006 Summary, page two,

Section 5. Air Monitoring – Number of Days Exceeding Various Air Quality Standards:

- A. Current Month – Preliminary Data
- B. Year to Date – Preliminary Data

Mr. Sadredin noted a corrected version of June 2006 was available for anyone wishing a copy.

Governing Board Member Prince stated he had intended to pull Item Number 18 regarding Section 3. Permit Services, Item C. End-of-Month Application Backlog. Governing Board Member Prince indicated the Application Backlog continues to stay around the six hundred applications, and it appears to him the District is not making any improvements in this area.

Mr. Sadredin stated in the past the District had permit applications backlogged as high as twelve to seventeen hundred. Mr. Sadredin explained that five to six hundred applications represents an optimal target allowing for expeditious processing of most applications within thirty days while providing a steady workload for District staff.

Consent Calendar Item Number 17 – Receive and file List of Scheduled Meetings for 2006

- Seyed Sadredin announced the receive and file item indicates a District Symposium will be held on December 6 & 7, 2006 in Bakersfield. Mr. Sadredin suggested the Governing Board consider holding the District Symposium as a one day event on Wednesday, December 6, 2006. Mr. Sadredin noted the Air Resources Board will hold their Board Meeting in Bakersfield on December 7, 2006.

APPROVED AS RECOMMENDED – On motion by Governing Board Member Case and seconded by Governing Board Member Worthley to approve Item Numbers 17 and 18 with corrections. The motion was unanimously approved with the following roll call vote:

Ayes: Case, Prince, Patrick, Sieglock, Barba, Mayfield, Worthley and Maggard.

Absent: Dominici, Nelson and Armentrout.

Governing Board Action:

- 1.) Item Number 17. Approved the date change for the District's Symposium to Wednesday, December 6, 2006, in Bakersfield.***
- 2.) Item Number 18. Approved a correction to the June 2006 Operation Statistic Summary, page 2, Section 5.***

4. **PUBLIC COMMENT** – Sarah Sharpe, Coalition for Clean Air (CCA), stated her comments pertain to Consent Calendar Item #21, Receive and file of proposed Rule 9310 (School Bus Fleets).

Ms. Sharpe indicated the CCA has the following concerns with proposed Rule 9310:

- The rule is not as aggressive as it could be
- Include a compliance schedule pertaining to replacement of pre-1978 school buses
- The January 1, 2016 final date for replacement of existing school bus fleets should be shortened
- Include an incentive encouraging local school districts to move in the direction of using alternative fuels that are safer than diesel
- Require the use of alternative fuel
- The CCA would like to see a provision included in the rule that requires school districts to scrap school buses when they are replaced

Sayed Sadredin, Executive Director/APCO, pointed out that proposed Rule 9310 was on the Governing Board Agenda for receive and file today with the Public Hearing set for September 21, 2006. Mr. Sadredin explained there is no requirement in state law for school districts to have busing with the exception of special education. Mr. Sadredin noted that Rule 9310 is intended to serve as a backstop. The District will focus on incentive programs to assist school districts in obtaining money to replace their existing school bus fleets. The District set out a timeline well into the future to make sure the school bus replacement funding is available.

Fred Fuchs, Employee representative from the Central California Association of Public Employees, indicated the District employees are still in the process of negotiating a new contract with the District. Mr. Fuchs noted that when he appeared before the Governing Board in June 2006 he mentioned how exceptional this agency, and its employees are. Mr. Fuchs encouraged the Governing Board to work with the employees during the negotiation process, and mentioned the difficulties the District will face in the not too distant future in the retention, and recruitment of qualified employees in order to continue the District's exceptional work.

Carolina Simunovic, Fresno Metro Ministry, stated she wanted to join the Governing Board in welcoming Supervisor Case's return to the District's Governing Board.

Ms. Simunovic spoke in support of what the District's employees are proposing during their contract negotiations.

Dennis Tristao commented on the permitting backlog issue that was mentioned earlier in the meeting. Mr. Tristao stated he remembers a few years ago when the backlog was much larger, and he thinks District Management has done a great job in lowering the backlog, and providing service to the regulated community.

Jerry Frost, Kern Oil and Refining Company, echoed Mr. Tristao's comments. Mr. Frost noted that over the past year and a half the District has been hosting public meetings with the community and stakeholders, to receive comments in order to identify areas the District could improve. The District received viable options and recommendations resulting in the District implementing many of these suggestions. This has resulted in a definite increase in the efficiency for District staff processing permits, and has helped significantly to reduce the backlog. Mr. Frost noted he wanted to extend his thanks and appreciation to the District for conducting those meetings.

5. **S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect)** - Seyed Sadredin, Executive Director/APCO, stated the STAR program is a District-wide work culture program with an aim to create an atmosphere in which providing exceptional service, demonstrating effective teamwork, maintaining a positive attitude, and showing respect to others becomes an intrinsic part of each District employees' job. Mr. Sadredin explained that the Staff Report lists employees who have provided service to the District for ten, eleven, twelve, thirteen, and fourteen years. The District is hoping to start a tradition by publicly recognizing employees that have reached a major milestone for years of service to the District. We are hoping to recognize employees who have reached 10 and 15 year milestones with the District in public before the Governing Board.

Mr. Sadredin introduced the following employees who had recently reached the milestone of ten years of service to the District.

Denise Holmes, Air Quality Inspector
Mike Oldershaw, Acting Air Quality Compliance Manager

The Chair, on behalf of the Governing Board thanked staff for their service to the District.

6. **REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)** – Report given by Dennis Tristao, City Primary Member, Kings County, and Chair of the CAC. Mr. Tristao indicated staff gave an excellent report to the CAC on the difficulties that need to be addressed in meeting the new ambient air quality standard for ozone in the San Joaquin Valley. Mr. Tristao stated the CAC reviewed and commented on the District's Draft Environmental Justice Strategy Program (EJ). Mr. Tristao noted that there was a unanimous vote for the District to proceed with the public workshops in further development and finalization of the EJ Strategy document.

Mr. Tristao indicated at the end of the workshop process the EJ Strategy document will be returned to the CAC for review, and hopefully for a firm recommendation to the Governing Board.

7. **UPCOMING CHALLENGES AND STRATEGIES FOR MEETING THE NEW FEDERAL 8-HOUR OZONE STANDARD** – Presentation by Seyed Sadredin, Executive Director/APCO, Scott Nester, Director of Planning, Don Hunsaker, Supervising Air Quality Planner.

The presentation consisted of the following:

Current State of Valley Air Quality
Emission Inventory
Reduction through Regulations
Ozone Monitoring
Ozone Measurements
Ozone Improvement, 1-hour NAAQS
Particulate Matter Monitoring
Particulate Matter Measurements
Attainment of 24-hr PM_{2.5} Standard
Problem Pollutants
Challenges Federal Requirements
Natural Environment & Air Quality
Emissions Comparison
Carrying Capacity
Carrying Capacity & Future Reductions Jurisdictional Puzzle
60% Reduction in Emissions: How Difficult?
Strategies
How Do We Get There?
Four-faceted Control Strategy
Air Pollution Control in California, 1971 Annual Report
Changes in Mobile Source NO_x Emissions
Plan Commitments – Actual Reductions

After the presentation Mr. Sadredin explained the portion of the report that mentions regional strategies includes the District looking at the entire domain used in the Ozone Study, which includes the Bay Area and Sacramento. Mr. Sadredin indicated we will definitely have to write a plan that brings them into the picture, and make sure we are in sync with them.

Mr. Sadredin explained that identifying and achieving the necessary reductions by the 2013 deadline will be difficult. Mr. Sadredin noted that we have not completed the process, but the options that we have before us if we are not able to find all of the reductions that we need, will result in a request of a bump up to a

higher designation. A “severe” designation will have an attainment deadline of 2020 and an “extreme” designation will have a deadline of 2024.

Governing Board Member Patrick asked why the previous targets of mobile source emissions reductions were not met.

Mr. Sadredin noted the estimates relating to mobile sources emissions come from the state and federal government. The latest inventory estimate by the ARB increases the Valley truck emissions by 100 tons/day. The primary reasons for changes to the mobile source emissions inventory are development of better emission factors, better distribution of vehicle activity by region and more accurate estimates of the achieved controls.

Governing Board Member Patrick stated that she is glad that staff brought this issue up. We have an enormous challenge. It’s good that we’re talking about it today instead of 2007. Governing Board Member Patrick stated we need to be very, very careful to maintain the partnerships that we have with the State of California, and with the federal government, so that we are approaching this as a partnership without finger pointing.

Mr. Sadredin stated he totally agrees with Governing Board Member Patrick’s comments. Mr. Sadredin indicated that when he talks about the state and federal government not doing their part he is referring to state and federal legislatures and the need for additional resources and regulatory help.

The Chair indicated that one of the reasons we are having this conversation today is that he has spoken with Mr. Sadredin regarding the Governing Board’s concerns about not wanting to hear about attainment problems, etc. at the last minute, therefore, we are getting bad news early, and often. The Chair also stated that he sometimes wonders if we will rue the day that we didn’t begin a strategy of how to cut down pollutants early on that migrate from other Air Basins into our Air Basin.

Mr. Sadredin noted the plan we are about to write for the San Joaquin Valley will be unlike any plan that we have written before. It will be different in form and content to ease comprehension by the general public and to better describe expectations and responsibilities by all levels of government. We are also going to put together a strategy in this plan to compel the Bay Area, the state legislature, and EPA to do what they need to do to help us reach attainment.

The Chair requested the Power Point presentation presented for this item be placed on the District’s website.

Governing Board Member Worthley suggested that some of the state dollars be

directed to the Bay Area to deal with air quality, but only if the money directed to them would be better spent assisting them to benefit our air quality.

Governing Board Member Patrick indicated that during the 1990 study it showed the percentage of transport from the Bay Area as it impacted the San Joaquin Valley. Governing Board Member Patrick noted it would be interesting to know if those numbers have been validated by the study that was done ten years later. Governing Board Member Patrick noted that three years ago she requested information regarding the transport within the San Joaquin Valley, because she believes there's a whole lot of transport that comes down to Bakersfield, Arvin, Edison, and so forth, and maybe it goes up the Valley from the Bakersfield area. Governing Board Member Patrick indicated that she thinks this is something worth looking at to see if the validations of those numbers are still true, and if there is something more that the Bay Area could be doing. Governing Board Member Patrick noted that she thinks the Bay Area is diligent in protecting their air quality, as we are diligent in protecting ours.

Governing Board Member Case stated she thinks one of our biggest challenges will continue to be the huge population growth we are experiencing.

The following persons provided comments during the public comment portion of this item:

Phil Newell, private citizen, discussed hybrid engines, and innovative technological ideas that could result in future transportation ideas.

The Chair requested staff brainstorm with Mr. Newell to see if we might have a more thorough discussion about new innovative technological ideas.

Carolina Simunovic, Fresno Metro Ministry, stated she attended the recent Town Hall Meetings, and noted they were very well attended, she also believes the air district received some very good suggestions during the meetings. Ms. Simunovic reiterated that Fresno Metro Ministry is committed to being here, and working with the District to see what policies can come into place that would get us to cleaner, healthier air sooner.

Ms. Simunovic indicated she disagreed with an earlier comment made regarding sending money designated for the Valley. Ms. Simunovic indicated that all of the funds that are generated in the Valley should stay in the Valley. Ms. Simunovic mentioned there are a lot of local improvements that we can make in the Valley.

Manuel Cunha, Nisei Farmers League, thanked the Board and staff for the Town Hall Meetings.

Mr. Cunha commented that we need to look at the infrastructure issue in respect to the huge amount of truck traffic on Valley highways. Mr. Cunha mentioned that he worked with Mr. Sadredin last year and put together a program titled Night Gate for the Port of Oakland which allows Valley trucks to arrive at the Port of Oakland at night to load/unload rather than sit for five hours on Interstate 580, or on Interstate 680 waiting to get into the Port of Oakland.

Governing Board Member Patrick noted that the Board heard about the development of Night Gate, but she has not heard if it was successful or not. Governing Board Member Patrick requested a briefing on Night Gate be presented during a Governing Board Meeting which would also allow for public comment. Governing Board Member Patrick stated she would like to hear if this was a successful venture or not since a lot of our staff worked with the Port of Oakland to make this happen.

Colby Morrow, Southern California Gas Company, welcomed Governing Board Member Case back to the Governing Board.

Ms. Morrow indicated she attended the District's Town Hall Meetings, and presented her company's input. Specifically, they do support engaging both the state and federal agencies, because they think it is really important. Ms. Morrow noted they also think we should engage with other air districts. Ms. Morrow indicated that specifically, with regards to utilities, we strongly encourage the District to look at energy efficiency programs.

8. **PUBLIC HEARING TO ADOPT PROPOSED AMENDMENTS TO RULE 4703 (STATIONARY GAS TURBINES)** – Presentation by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

Governing Board Member Nelson commented that he appreciates staff working with industry to come up with a rule that actually addresses problems they're having.

The following person provided comments during the public comment portion of this item:

Colby Morrow, Southern California Gas Company and San Diego Gas and Electric, spoke in support of the Governing Board adopting Rule 4703 as proposed.

ADOPTED AS RECOMMENDED – On motion by Governing Board Member Patrick to adopt Rule 4703 as recommended. Seconded by Governing Board Member Case and unanimously carried with the following roll call vote:

Ayes: Nelson, Mayfield, Barba, Case, Sieglock, Prince, Patrick, Worthley and Maggard.

Absent: Dominici and Armentrout.

Governing Board Action:

- 1.) Adopted proposed amendments to Rule 4703 (Stationary Gas Turbines)
- 2.) Authorized the Chair to sign the resolution

9. **PUBLIC HEARING TO ADOPT REVISED PROPOSED AMENDMENTS TO RULE 4354 (GLASS MELTING FURNACES)** – Presentation by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

The following persons provided comments during the public comment portion of this item:

Phil Newell, Guardian Industries, commended staff for the awesome amount of work they put in this rule. Mr. Newell spoke in support of Rule 4354.

Jeff Curtain, CertainTeed Corporation, spoke in support of proposed Rule 4354.

ADOPTED AS RECOMMENDED – On motion by Governing Board Member Patrick to adopt Rule 4354 as proposed. Seconded by Governing Board Member Barba and unanimously carried with the following roll call vote:

Ayes: Barba, Patrick, Prince, Nelson, Mayfield, Sieglock, Case, Worthley and Maggard.

Absent: Armentrout and Dominici.

Governing Board Action:

- 1.) Adopted Revised Proposed Amendments to Rule 4354 (Glass Melting Furnaces)
2. Authorized the Chair to sign the resolution

10. **PUBLIC HEARING TO ADOPT EIGHT-HOUR OZONE REASONABLY AVAILABLE CONTROL TECHNOLOGY-STATE IMPLEMENTATION PLAN (RACT SIP) ANALYSIS** – Seyed Sadredin, Executive Director/APCO and Don Hunsaker, Supervising Air Quality Planner.

The following persons provided comments during the public comment portion of this item:

Carolina Simunovic, Fresno Metro Ministry, commended Sandra Lowe-Leseth, Air Quality Engineer, for all of her hard work on this analysis.

Manuel Cunha, Nisei Farmers League, mentioned an issue regarding the methamphetamine and coke labs which are clandestine operations located in the farming and urban communities. Mr. Cunha noted that Fresno County is the number one county as far as methamphetamine being produced. Mr. Cunha indicated that a huge amount of the chemicals that are used to produce these drugs are very volatile compounds, and they are being dumped in farming, and urban communities. Mr. Cunha suggested the District look into this issue.

Governing Board Member Case suggested we try and figure out some kind of quantification of potential emissions, as it might give us a good argument to the federal government in terms of some money that deals with this problem. Governing Board Member Case noted that with the huge amount of chemicals involved in these operations could be a significant source of pollution in our air quality.

Mr. Sadredin responded the District does receive calls regarding these operations mainly in respect to toxic issues. It might not be much of an ozone or particulate issue, but we will definitely look at it, and pursue further if necessary.

ADOPTED AS RECOMMENDED – On motion by Governing Board Member Worthley to adopt the RACT SIP Analysis as recommended. Seconded by Governing Board Member Case and unanimously carried with the following roll call

vote:

Ayes: Patrick, Case, Mayfield, Barba, Nelson, Sieglock, Prince, Worthley and Maggard.

Absent: Armentrout and Dominici.

Governing Board Action:

- 1.) Adopted the Eight-Hour Ozone Reasonably Available Control Technology – State Implementation Plan (RACT-SIP) Analysis**
- 2.) Adopted Negative Declaration for Two Source Categories Covered by EPA Control Technology Guidelines**
- 3.) Authorized the Chair to sign the resolution**

11. **APPOINT GOVERNING BOARD SOUTHERN REGION OFFICE RELOCATION PROJECT AD HOC SUBCOMMITTEE** – The following Governing Board Members will serve on the Ad Hoc Subcommittee:

Barbara Patrick, Supervisor, Kern County
J. Steven Worthley, Supervisor, Tulare County
Mike Maggard, Councilmember, City of Bakersfield

12. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)** – Jeff Lindberg, ARB Planning Liaison for the Air Quality & Transportation Planning Branch, commented on the District's 8-hour Ozone planning activities and noted the District has a big job ahead of them with the preliminary modeling showing the District has 400 tons per day of excess emissions to reduce. ARB recognizes that a large part of this is under federal and state control. ARB is working to understand the problems, where the emissions are coming from, and how to control them.

Mr. Lindberg noted that Carolina Simunovic mentioned enforcement and that's one of the strategies that we're going to attempt to always keep up on, by making sure rules the ARB adopts are really as effective in practice as we intend them to be.

Mr. Lindberg noted that attainment in the Valley plays a very important part of the strategies ARB will be working on. ARB will be looking at a lot of categories that are specific to the Valley and we will be looking at how we can address those in ways that make sense in the Valley. Mr. Lindberg noted that the Governing Board will be hearing a lot more in the near future about the upcoming State Implementation Plan (SIP) and about what the state is doing.

13. **EXECUTIVE DIRECTOR/APCO COMMENTS** – Seyed Sadredin, Executive Director/APCO, announced the District's website has been completely redesigned, and hopefully most people will find it more user friendly. Mr. Sadredin encouraged the Governing Board Members and the public to take a look at the redesigned website. Mr. Sadredin noted that Governing Board Member Nelson made some comments regarding the District's website, and hopefully his staff will take a look at the redesigned website. Mr. Sadredin mentioned that if there are any additional issues regarding the District's website please let us know. We've been receiving a lot of positive feedback regarding the new website design.

Mr. Sadredin announced that effective September 5, 2006 the District will start a new security arrangement in the Central Region Office Building requiring identification badges for employees and visitors.

Mr. Sadredin stated the District had a busy month involving a great deal of public outreach activities. Mr. Sadredin provided the Governing Board Members with two handouts titled *Samples of Recent Media Coverage July & August 2006 and Air Quality Report Card, August 16, 2006*. Mr. Sadredin stated he met with the Editorial Board of the Modesto Bee and the managing editor of the Fresno Bee, and he is scheduled to meet with the Editorial Board of the Bakersfield Californian in a couple of weeks. He will also be meeting with representatives from the Stockton Record. Mr. Sadredin indicated the District is doing a better job of getting our story out and we really need to do our best to disseminate accurate information about air quality status on the Valley and the District's efforts. Mr. Sadredin stated that we are beginning to see a more balanced and accurate coverage of air quality issues. Keeping in mind the complexity of our field, it is important for us to routinely communicate accurate information regarding what has been done, and what the nature of our challenges are.

Mr. Sadredin stated he wanted to publicly acknowledge Jaime Holt, Public Education Administrator, for doing a "great job" with the Town Hall Meetings.

14. **GOVERNING BOARD MEMBER COMMENTS** – Governing Board Member Nelson welcomed Governing Board Member Case, and stated it was good to see her back on the Board. Governing Board Member Nelson indicated he checked out the revised District website and it looks real nice and seemed to be easier to navigate. Governing Board Member Nelson noted he did attend the Town Hall Meeting held in Modesto. He stated that it was very informative, and we had a good turn out.

Governing Board Member Case stated it is good to be back after a two year absence. Governing Board Member Case stated that one of the things she has noticed is that the District is doing more public outreach. Governing Board Member Case congratulated staff on this new direction and she indicated that she is very pleased to see this, and she believes it is important. Governing Board Member Case stated we will need to go to the next step of being proactive in trying to get people to change their behavior relative to air quality, and wanting to do their part.

The Chair noted that a comment was mentioned earlier about land use decisions and this Governing Board is comprised predominately of County Supervisors. He does not know what it is like in other regions, but in his region, as the largest city in Kern County, we have a tremendous number of land use decisions to make. The Chair noted that the cities make more land use decisions than counties do. If it is like that in other regions, it would be helpful for the District to be more involved with the city councils. Maybe the District could offer a workshop, certainly in some cities where it is ongoing. The Chair thinks the majority of the councilmembers are so preoccupied with their other responsibilities that this is not high on their screen. The Chair noted during the

Bakersfield City Council meeting last night we had a subdivision that was built across the street from a chicken farm, and it had four feet of chicken waste underneath the chickens, and it really stinks a lot. The city turned to the Air District to see if the Air District had any information on it and the Air District didn't have any. That's not a criticism, it's just that he believes the Air District could play a larger role, and partner with cities as they make these land use decisions to make them much more prudent about air quality implications. The Chair urged the District to think of some ways this might be accomplished.

The Chair asked if during the recent heat wave did the District's air quality numbers indicate a problem. The Chair noted that in spite of the high temperatures the air quality seemed pretty clean.

Mr. Sadredin stated the Chair's observation is supported by our actual monitoring, even though we had a tremendous heat wave the air quality stayed relatively clean.

OTHER BUSINESS – No Other Business.

Philip M. Jay, District Counsel, announced the Closed Session.

15. **CLOSED SESSION** - The Governing Board will hold a Closed Session pursuant to Sections **54957.6 and 54956.9** of the Government Code (Ralph M. Brown Act) as follows:

- Conference with labor negotiator – Agency negotiator: Carolyn Rose; Employee Organization: SEIU, Local 700; pursuant to Government Code Section **54957.6**
- Conference with District representative (Seyed Sadredin) regarding compensation for management.
- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)

Name of Cases:

- Association of Irrigated Residents v. SJVUAPCD, Fresno Superior Court 06CECG02302
- California Building Industry Association v. SJVUAPCD, Fresno Superior Court 06CECG02100
- In Re: Petition for Revocation of Permit #'s C-1051505 and C-1051352, Central Region Hearing Board

The Governing Board adjourned to Closed Session at 11:41 a.m.

Philip M. Jay, District Council, announced by unanimous vote the District Governing Board authorized District Counsel to appear and defend in the Building Industry Association v. SJVUAPCD case, and the Association of Irrigated Residents v. SJVUAPCD case. Mr. Jay noted that if anyone has questions, or needs any additional information they can contact the District Counsel's office.

The Governing Board adjourned from Closed Session at 12:45 p.m.